**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**W.P. No. 27012 of 2006**

**Oral order**:

It is the case of the petitioner that he is senior to the 3rd respondent, but the 1st respondent ignoring his seniority, has promoted the 3rd respondent as Senior Line Inspector, which according to him is illegal and arbitrary.

According to the own admission of the petitioner, he suffered punishment of stoppage of three increments in 1978, and recently on 23.11.2006, the 2nd respondent issued him a charge memo on certain allegations, to which he submitted his explanation on 26.12.2006. It is the contention of the petitioner that without passing any orders on his explanation, on the ground that disciplinary proceedings are pending against him, the 1st respondent ignoring his seniority, has promoted the 3rd respondent, who is junior to him. The disciplinary proceedings initiated against the petitioner are at the embryonic stage, and the petitioner cannot assume for himself that because of the disciplinary proceedings initiated against him, he was not promoted, and more so when no punishment was imposed against him

Be that as it may, inasmuch as the petitioner has already submitted his explanation to the charge memo only on 26.12.2006, and filed the writ petition immediately after two days without giving sufficient time for the official respondents to consider his explanation, I deem it appropriate to dispose of the writ petition with the following directions:

The 1st and 2nd respondents are directed to consider and pass

appropriate orders on the explanation dated 26.12.2006 submitted by the petitioner to the charge memo dated 23.11.2006 within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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**N.V. RAMANA, J.**

**Date: 27th December, 2006.**
**KSR**